

VIA CERTIFIED MAIL

Mr. John Ross
NISource, Inc.
801 East 86th Avenue
Merrillville, IN 46410

Re: Approval of Renewal of
Solid Waste Facility Permit FP 37-01
RM Schahfer Generating Station RWS I
Jasper County

Dear Mr. Ross:

The facility operating permit renewal application, received on June 29, 2001, for the RM Schahfer Generating Station RWS I has been reviewed and certified as meeting the requirements of IC 13-15-1-3, 329 IAC 10-11, and 329 IAC 10-13-2. This permit renewal applies to the flue gas desulfurization (FGD) system Restricted Waste Site Type I which contains approximately 210 fenced acres with 198 acres approved for filling. The restricted waste site is located in Jasper County approximately two miles northeast of the town of Wheatfield or 15 miles south of Valparaiso Indiana on Highway 49. It is approximately one mile east of the power plant, which is located at 2723 E. and 1500 N near Wheatfield, Indiana.

You are hereby notified that the Office of Land Quality (OLQ) of the Indiana Department of Environmental Management (IDEM) has issued an operating permit renewal under the authority of 329 IAC 10-11-5.1 to RM Schahfer Generating Station RWS I. Your authority to operate this facility is subject to Solid Waste Facility Permit FP 37-01, dated January 6, 1984, and its subsequent renewals and modifications to date remain in force and effect unless superseded by statute, regulation or the terms and requirements of this permit renewal, and enclosures. The permittee or operator shall operate this facility according to the terms and requirements of this permit renewal letter and enclosures, and the applicable statutes and regulations in effect on the effective date of this renewal. This facility operating permit renewal, FP 37-01, will expire on June 1, 2008.

This permit renewal allows the RM Schahfer Generating Station RWS I to continue operations at the facility subject to the terms of this letter and the enclosed requirements. In accordance with 329 IAC 10-13-4, solid waste facility permit, FP 37-01 does not authorize: any injury to any person or private property; the invasion of other private rights; the infringement of

federal, state, or local laws or regulations; nor preempt any duty to comply with other state or local requirements.

Pursuant to IC 4-21.5, you, as applicant, or an “aggrieved or adversely affected person” may initiate a Petition for Review of this permit renewal letter. This permit renewal becomes effective once all applicable time periods for petitioning for Stays of Effectiveness have expired, unless you are notified in writing by an Environmental Law Judge that the permit renewal has been further stayed. As discussed in our enclosed Notice of Decision, if you wish to challenge this decision, you must file a Petition for Review with the Office of Environmental Adjudication within eighteen (18) days from the date that this permit renewal letter was mailed, pursuant to IC 4-21.5-3-7.

In order to continue operation past June 1, 2008, a renewal application in accordance with 329 IAC 10-11-4 must be submitted at least one hundred twenty (120) days prior to the expiration date or the permit will expire.

If you have any further questions regarding this matter, please call (800)451-6027, press 0 and ask for Mr. Michael Dunn, or ask for his extension 2-8736, or dial him direct at (317)232-8736.

Sincerely,

Thomas Linson, Chief
Permits Branch
Office of Land Quality

Enclosures: Notice of Decision
Permit Requirements
Leachate Generation Report Form
Letter to *Rensselaer Republican*
Letter to Jasper County Public Library
Guidelines E1 to E5

cc: Jasper County Health Department (with enclosures)
Jasper County Commissioners (with enclosures)
Northwest Indiana Solid Waste Management District (with enclosures)
Greg Costakis, RM Schahfer Station Environmental Analyst, NIPSCO